

## HYDE SECURED \$685,000 LOAN

RUMOR THAT HE PUT UP LARGE PART OF MONEY TO PAY IT.

Note to Mercantile Trust Indorsed by Him as Equitable Vice-President—Payment May Block Revelations as to Use of Money—Union Pacific Transfer.

That \$685,000 loan which stood on the books of the Mercantile Trust Company, the names of James W. Alexander and Thomas D. Jordan, then officers of the Equitable society, as trustees, was secured by James Hazen Hyde, a vice-president of the Equitable, it is understood, indorsed the note given by Alexander and Jordan.

The note was taken up last Monday, July 17. A certified check for the full amount was deposited with the trust company by Mr. Jordan. This was the day on which State Superintendent of Insurance Francis Hendricks' statement that he had been unable to find out the purposes for which the loan had been negotiated was made public.

Where signature is on the check used in taking up the obligation is known to the State Banking Department, but not yet disclosed. It was reported, however, that Mr. Hyde had put up a large share of the amount needed to take up the obligation. Mr. Jordan is not accounted a wealthy man, his salary as comptroller having been \$5,000 a year. Mr. Alexander, if any of his money was used in closing the account, was learned yesterday, personally knew nothing of the transaction. He is very ill at Babylon, L. I., and is no longer consulted in any business affairs relating to the Equitable.

The State Banking Department is in possession of a record of the payments made under this loan account. It was said that there is no evidence that a certain politician's shipbuilding suit was settled out of this blind loan or that other shipbuilding settlements figure in it.

There is not, it was declared, anything that would indicate directly that any payments had been made from the loan account for lobbying fees.

The loan account, it was intimated, may have been used in the payment of losses incurred by officers and directors of the society as well as by the society itself in speculative ventures. Those losses, it was suggested, so far as the society was concerned, were such that the officers may not have cared to have them recorded on the society's books. It was also reported that the loan account represented in large part payments which had been made to persons who had brought blackmail suits against the Equitable—suits, for instance, to compel an accounting and a return of money in which many of the facts that have recently come to light regarding the society's management would have been brought out.

It is denied absolutely that the Equitable society ever paid a penny toward reducing the loan. The \$685,000, it was declared, represented an accumulation of obligations extending over a period of five or six years. President H. C. Deming of the Mercantile Trust Company, who is president of the Equitable, said that the average amount of the loan was between \$300,000 and \$400,000 and that it was sometimes more and sometimes less. He said that the interest on the loan was paid by the society.

Chairman Paul Morton, when asked whether there were any records on the Equitable's books of any payments having been made on the principal of the loan or as interest, said that he would make no statement regarding that matter. He said that he would give the details of the transaction when he was prepared to do so accurately. He denied positively that the Equitable society had paid any part of the loan. It is evident yesterday that it is the purpose of the persons chiefly concerned in the loan to consider it entirely as a personal matter between Alexander and Jordan and the Mercantile Trust Company and, eliminating the Equitable from it altogether, this place it outside the scope of investigation. It was the opinion yesterday that the Equitable society in the transaction might be able to do this, if they can explain satisfactorily that they were not acting as trustees for the Equitable and had not had any control over it, either on the principal of the loan or for interest.

They will, however, be confronted with the statement made by President Deming before Supt. Hendricks that he always considered the Equitable Society responsible for this loan. Up to the present no explanation has been given. The company, which Alexander and Jordan exercised in taking out the loan.

Mr. Hyde before the present loan transaction became public returned to the Equitable society more than \$70,000. Of this, however, he still claims ownership to \$30,000, representing the profits of the "James H. Hyde and Associates" underwriting syndicate transaction.

Mr. Deming, the Mercantile's president, refused yesterday to make public any details of the loan transactions. The loan had, he said, been made to the company by those who borrowed and that it was sufficient for him. He was asked whether the profits of the Mercantile company were kept in the Equitable and would be no record of the transaction after it was closed.

The examination being made by Bank Examiner Judson, is confined to the present assets and liabilities of the company. That is all I have to say.

It was said yesterday that Kuhn, Loeb & Co. had received yesterday from the Union Pacific preferred stock standing on their books in the name of James H. Hyde and Associates to the Equitable Life Assurance Society. It is understood that Kuhn, Loeb & Co. have sought the advice of counsel as to whether they should make the transfer to the Equitable or not. Mr. Schiff refused yesterday to discuss the report.

Gage E. Tarbell, the Equitable's second vice-president, made this statement yesterday in regard to the Equitable company: "One thing should be remembered, life insurance is one of our great institutions. In no country has it thrived as America. It is one of the greatest institutions of the country. More than any other, it is based on confidence, and it has done more good than any other institution. There has been a little black spot upon its corner. All eyes have been turned to it. The great white stretch of good has been overlooked, and a confidence has been somewhat shaken, but there is nothing to restore it but a full, honest, impartial legislative investigation."

The coming legislative investigation was a general topic of discussion at the Equitable yesterday. The management of the Equitable has announced that it will welcome the inquiry. The Attorney-General has been asked to permit the Equitable Life Assurance Society through their own acts of commission or omission permitted the funds of the society to be diverted to channels not permitted by law. The Attorney-General will be at his New York office on Monday and at his Albany office on Tuesday. As

trial of the action will involve frequent reference to the books and records of the Equitable, the inference was drawn that the venue will lie in New York county.

Mr. Mayer said to-night that the appointment of a legislative committee to investigate the Equitable in particular and the whole insurance field in general will not in any way interfere with the duties devolving upon him or District Attorney Jerome or State Superintendent of Insurance Hendricks. They may all continue to probe and prosecute.

In fact, both Gov. Higgins and Attorney-General Mayer said to-night that the work of the legislative committee could be planned so as to materially aid those officials, especially in delving into certain of the Equitable's financial transactions which Supt. Hendricks has been unable to fully comprehend.

Attorney-General Mayer is to begin his action against the Equitable in the civil procedure section of the Code of Civil Procedure, which reads:

An action may be maintained against one or more trustees, directors, managers or other officers of a corporation or partnership, or for so much thereof as the case requires, compelling the defendants to account for their official conduct in the management and control of the funds and property committed to their care.

2. Compelling them to pay to the corporation which they represent or to its creditors the amount of any money and the value of any property which they have acquired to themselves or transferred to others by fraud or by a violation of their duties.

Gov. Higgins laughed to-day when asked if it was true that Supt. Hendricks had been asked to lead a legislative investigating committee was appointed to relieve him in a measure in connection with his Equitable investigation.

That story is not true, said the Governor.

"My message was sent to the Legislature yesterday," he said. "In response to the almost universal demand for a legislative investigation, I had refused to recognize this sentiment the impression might be conveyed that the State authorities were trying to cover up rather than show up the truth. It is not yet known if the Equitable will agree to a legislative investigation. Then again the fact that a legislative investigation would somewhat relieve the burden upon Supt. Hendricks was a factor in impelling me to make a legislative investigation possible."

ROOT SEES THE PRESIDENT.

New Secretary of State Spends the Night at Sagamore Hill.

OSTER BAY, July 21.—Secretary of State Elihu Root arrived here to-day and will spend the night at Sagamore Hill. The visit is of considerable significance. It is almost a Cabinet meeting in itself. The President, it is understood, is anxious to put before Mr. Root the project of transferring the Panama Canal to the Department of State. The project, it is known, originates neither with Mr. Root nor with Mr. Taft. The Secretaries are, in fact, great friends, and it is not yet known if the President will look upon the transfer of the canal from his own department. But that the transfer will be made there is little doubt. It is understood that the approaching peace conference will also be discussed.

The Chinese boycott of American goods started upon which is said the President wishes to talk with Secretary Root. At the Executive offices to-day it was said that the President had nothing to say about the boycott as reported by the press and in private despatches.

Much attention, it is assumed here, will be bestowed in the interview between Mr. Root and the President on the controversy between the United States and the Republic of China. The attention of Acting Secretary B. F. Barnes was called to a published report concerning the affair in which Rudolph Dolge, American Consul Agent at Caracas, was said to be involved. Mr. Barnes said the matter had not yet been brought to his attention, but he would look into it.

Secretary Root will leave by an early train to-morrow. Other visitors at the Hill to-day were Dr. Lyman Abbott and Dr. Alexander Lambert, old friends of the President's.

## EACH BOARDER LOST SOMETHING

Well Mannered Young Man Cleans Out an Establishment.

Mrs. N. B. Taft, who conducts a boarding house at 44 and Twenty-two street, answered her doorbell yesterday and had the surprise of finding a young man in good clothes, who politely said:

"I want a pleasantly furnished room for myself and my chum. Not too expensive, you understand, but spacious and agreeable, if you please."

Mrs. Taft showed some vacant rooms and the young man selected one on the second floor.

He asked if he might wait there for a few minutes for his "chum," who would be along soon. Mrs. Taft went to see about dinner.

Four hours later Mrs. Taft's star boarder reported his gold nugget scarf pin missing from his dress.

Mrs. Taylor, another boarder, missed a diamond stud earring, and a large jeweled bar pin. Every boarder in the house reported something lost.

The young man went through another house in the same fashion earlier in the afternoon.

## POLICE DONE WITH PARK CASE.

McAdoo Says He Has Dropped the Higginson Jewelry Robbery.

Police Commissioner McAdoo wasn't inclined yesterday to discuss the action of the District Attorney in asking the State Department at Washington to withdraw the extradition papers for Edward Park, who was arrested on suspicion that he knew something of the stealing of the Higginson jewels a few weeks ago. Park, who was a tutor in the Higginson family, was arrested in Norway after evidence secured by Detective Sergeant McCafferty.

"The matter is entirely in the hands of the District Attorney," said Mr. McAdoo. "We considered that it had a prima facie case. We got the evidence and presented it to the District Attorney. So far as this department is concerned the case is dropped."

Detective Bureau had even less information to give on the case.

## The Weather.

A low pressure area of very vigorous proportions which has been moving from the extreme southwest was central over the lower Ohio Valley yesterday accompanied by extreme high winds in that section and inducing northerly and northeasterly winds and heavy rain over the entire Ohio Valley eastward. So far it had occasioned only light rain and thunderstorms.

The temperature was in almost all sections. The temperature was quite general, except in North Dakota, Texas and the Central Valleys, where light rain fell.

In this city the day was fair and cooler, with a high of 74° and a low of 54°. A breeze from the west, with a barometer corrected to sea level, at 8 A. M., 29.91; at 3 P. M., 29.90.

The temperature yesterday, as recorded by the official thermometer, is shown in the annexed table.

1905. 1904. 1903. 1902. 1901. 1900. 1899. 1898. 1897. 1896. 1895. 1894. 1893. 1892. 1891. 1890. 1889. 1888. 1887. 1886. 1885. 1884. 1883. 1882. 1881. 1880.

WASHINGTON FORECAST FOR TO-DAY AND TO-MORROW. For eastern New York, fair to day and to-morrow, and somewhat warmer in the interior; light variable winds, mostly west.

For eastern Pennsylvania and New Jersey, partly cloudy to-day, with rain in south portions; fair to-morrow; light east to northeast winds.

For Maryland, Delaware and District of Columbia, light showers to-day and probably to-morrow; light variable winds, becoming east.

For New England, fair and warmer to-day and to-morrow; light east winds.

For western New York, fair and warmer to-day; showers to-morrow; light variable winds.

## Dr. Lyon's PERFECT TOOTH POWDER

Cleanness and beautifies the teeth and purifies the breath. Used by people of refinement for over a quarter of a century. Very convenient for tourists.

PREPARED BY S. H. Lyon, D.D.S.

## REPENTANT LOVER SAVED HER

GIRL TURNED ON THE GAS A WEEK AFTER THE QUARREL.

Hotel Markwell Stenographer Wrote in Diary That George Was "the Limit"—He Went to Her Boarding House to Make Up the Night She Tried Suicide.

Miss Etta Record, 22 years old, a stenographer, employed in the Hotel Markwell, at 220 West Forty-ninth street, tried to kill herself last night with illuminating gas in the boarding house in which she lives at 26 West Fifteenth street. If it hadn't been for George Smith of 322 West Eleventh street, the young woman's sweetheart, Miss Record might have succeeded in taking her life.

Smith, who is a clerk, quarreled with Miss Record a week ago last night, and ever since she has been morose and out of sorts. The people at the boarding house knew the couple were at odds, for Smith was a night visitor. Whenever he called he went direct to Miss Record's room, as he was known at the house as her fiancé. When he stopped calling it soon spread through the boarding house that there had been a lovers' spat.

Miss Record has been employed at the Markwell for several months and some time ago she asked for a vacation, saying she wanted to go to her old home at Clairfield, Pa., where she has a brother and sister. She got the vacation and it was to begin last night. Miss Record bade good-bye to every one she knew at the hotel and left apparently in better spirits.

She went direct to her boarding house and to her room. She spent some time in writing letters to her brother and sister in Clairfield. She then turned on the gas and ready for the mail, she made preparations to kill herself. She closed her room door and shut the two windows tight. Then she turned on the gas and lay on the bed fully dressed. She lay there long enough to become unconscious.

Then came the penitent George, who wanted to make up. He was allowed to go direct to Miss Record's room. He tapped on the door and getting no response he opened the door, which was unlocked. Smith's breath was taken away by the smell of gas. He ran into the room and threw up the windows. Then he began to yell with all his might. He dashed down the stairs and ran from the house, crying:

"She's dead, she's dead, she's dead!" His cries brought all the other boarders, and Mrs. Dressler, who keeps the house, sent for a policeman. Donnelly of the Tenderloin responded. He went over her shoulder like a sack of flour and rushed her across the street to the New York Hospital.

He left her there for the doctors to attend to. He said that she was a prisoner on a charge of attempted suicide.

Donnelly went back to the house then and found the letters Miss Record had written to her brother and sister. When the cop heard of Smith's wild run from the house he telephoned to the Tenderloin station to have Smith looked up and taken to the police station.

Smith was taken to the police station and the two detectives were starting out after him Smith ran into the West Twentieth street station, still crying.

Twentieth street police were puzzled over his actions, but when they heard that Smith's trouble was in the Tenderloin precinct they telephoned the Tenderloin station and asked them to get Smith.

By the time Smith got to the Tenderloin station he had learned that Miss Record was not dead. The cause of his quarrel and why he had returned last night, he said he was so excited over what he had seen that he was almost distracted. He said Miss Record was a fine woman, and that it would break his heart if she did not recover.

Smith is a clean cut looking chap and convinced the police that he was telling all he knew about Miss Record's attempt on her life. That the young woman was unhappy since the quarrel was borne out by the diary of which she was found in possession. On the night of the quarrel Miss Record wrote:

"It's about 10:30 o'clock and I'm completely tired. I can't sleep. I feel like I'm in a world of pain. I can't live this way any longer. I want to die."

The entry before this one reads: "My darling George is a queer fellow. I can't understand him. He certainly is the limit."

Smith told the police that the quarrel was over another man. Miss Record's chances of recovery are good. Smith left the police station to go to the hospital to see how his sweetheart was getting along.

## FIVE LOST IN CANADIAN LAKE.

Two Priests and Three Young Men Drowned by the Upsetting of Their Boat.

ODENSBURG, N. Y., July 21.—The Rev. J. A. Gignac, parish priest of St. Michael's, the Rev. Hector Codre, 20 years of age, recently admitted to the priesthood; Eugene Codre, 16 years of age, his brother, Wilfred Masse and Damas Masse were drowned at Carthage, Canada, yesterday by the upsetting of a boat. Two young men, Charles and Raoul Codre, brother and cousin of two of the victims, clung to the overturned boat and reached shore after being two hours in the water.

The seven had gone to Lake Aylmer boating, in a one boat. This was all right in calm weather, but a stiff breeze arose, which grew stronger and stronger, coming at times in gusts. The boat began to ship water and was finally swamped. Only the two who were saved succeeded in getting hold of the boat. The others, it is said, went down at once. The Rev. J. A. Gignac gave absolution while in the water to the drowning party.

## \$1,200 STOLEN FROM STATEROOM.

Albany Passenger Reports Loss to Police—Roommate Was Asleep.

S. L. Brown of Syracuse complained to the police yesterday that he had been robbed of \$1,200 in a stateroom on a People's Line boat, coming from Albany Thursday night.

He said his money was tied up in a bank book, and that he left it in the room when he became ill and went outside. When he returned, he said, the money was missing, and Nathan Still of 217 Seventh street, this city, who occupied the stateroom with him, was asleep and apparently knew nothing about the money.

Still is a boy who works on a farm near Albany. He was on his way here to visit his mother, he said, and was assigned to a room with Brown. He says he went to sleep early in the night and didn't see Brown again until morning. Still was not arrested.

## EXCURSION BOAT ON ROCKS.

HITS A LEDGE NEAR WHERE THE GEN. SLOCUM BURNED.

Sirius Carried an Excursion of Five Hundred From Olivet Memorial Sunday School—Steamer Run Into Mud Bank to Prevent Sinking—All Safely Landed.

The iron steamboat Sirius, with 500 women and children from the Olivet Memorial Church in Second street, ran on the rocks off North Brother Island yesterday, not far from where the Slocum disaster occurred a year ago. There were only fifty men aboard the boat, counting the band and the crew, but they were a legion in calming the panicky women and children. No one was hurt, but the excursion was given up.

It was the annual excursion of the Sunday school, and the Sirius took her passengers to the foot of Second street, the same dock from which the Slocum started on her ill-fated trip.

It was the intention of the Olivet excursionists to go to Huntington Harbor, L. I. The excursionists were in a jolly mood as the boat neared North Brother Island. They could not help recalling the Slocum disaster, and that put a damper on their spirits for the moment, for many of them had lost friends when the Slocum was burned.

The Sirius was approaching the north end of the island when Capt. Pierce saw the screw boat W. G. Payne of the Bridgeport line coming down the river. The Payne runs pretty fast, and as the two boats neared, Capt. Pierce took the Sirius nearer the shore of North Brother Island. He said later that he did this to avoid a collision.

The Payne went by with plenty of room, but it drew a great deal of water so much that Capt. Pierce says that the boat was literally stuck on the rocks. The grinding as the Sirius went around scared her passengers, and a moment later, when the boat suddenly stopped, men, women and children were thrown from their camp stools. The band was playing, and it stopped suddenly.

There was a uniform policeman on board, as there is on all excursions nowadays, and his presence did much toward calming the women and children, though many women insisted on putting life preservers around their little ones. Then some one with a horse sense ordered the band to get busy, and the music acted like magic.

Capt. Pierce soon found that the Sirius was stuck on the rocks, and that the boat would have to be pushed off. He called the whistle to let passing craft know he had met with an accident. The College Point ferryboat, Hackensack, got near the Sirius, and Capt. Pierce asked the pilot to telephone when he landed to the office of the Iron Steamboat Company for another steamboat to take off the Sirius's passengers. Capt. Pierce didn't need any more from the Hackensack.

Capt. Pierce got his boat off the rocks without much trouble, but he began to take on water, and he had to be pushed back to the beach. The best place, he figured, was on the muddy bottom off the New York shore between Barretto's and Hunt's islands, and he pushed the boat into the mud opposite 160th street.

By this time the passengers had become quite calm, having been assured that all danger was over. There was much excitement on shore. Before the captain of the Hackensack telephoned he informed a police man of the accident to the Sirius. The police telephoned to the Alexander avenue station, and Capt. Hayes turned out the reserves. They boarded the Health Department boat Franklin Edison at the pier, and Capt. Hayes and the police went to the Sirius, which was making for its mud landing.

Then along came Inspector Titus in a steam launch. He took Capt. Hayes and his men from the Edison and put them aboard the Sirius. The police had little to do, as the passengers were quiet by this time.

The Department of Correction's steamer Massasoit was able to back into the stern of the Sirius. Then a gangway was made between the two boats, and the work of transferring the passengers began. Before it was half finished the Iron Steamboat Dreamland appeared. The passengers took about half the stranded passengers, the Dreamland the others.

The captain of the Dreamland wanted to take the excursionists to the grove, but they refused to go for one day. The Sirius got out of the mud with the assistance of a tug and then came down the beach under her own steam at the foot of the Jersey flats and will go to dry dock to-day. Just how badly she is injured will not be known until she is put in the dock. Her worst injury is directly under her furnace room.

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## POLICE ACCUSE DOCTORS.

Mrs. Gades. Was Taken to Cell From Hospital at Doctors' Request.

Police Captain Knipe of the Herbert street station, Williamsburg, who was criticized for permitting the arrest of a woman, who murdered her nineteen months old child, Hans, on Wednesday, to be eighteen hours in a cell before calling an ambulance and having the woman removed to a hospital, made a statement yesterday in which he put all the blame on the Eastern District Hospital. Capt. Knipe said that the police took Mrs. Gades from that hospital on Wednesday because the hospital authorities informed him that she was strong enough to go to the Manhattan avenue hospital, and that they didn't want her in the hospital any longer.

The captain declares that when Ambulance Surgeon Cohn was again called to see the woman, after she had been in the hospital for a cell many hours, Cohn said that she was feigning, and it was some time before he would consent to take her away. Then the master of the hospital, who had been driven six miles to the Kings County Hospital.

At the Kings County Hospital it was said last night that Mrs. Gades, who had been in a cell many hours, was in a poor condition and constantly calling for her child.

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THE COMFORTABLE WAY TO THE GREAT NORTHERN RAILWAY. IF YOUR TICKET READ VIA THE LOW ROUND TRIP TICKETS ON SALE EVERY DAY FROM MAY 23 TO SEPTEMBER 30. For Rates or Detailed Information Call on or Address W. M. LORRIS, General Agent, 230 Prudential Building, Buffalo, N. Y. S. J. ELLISON, General Agent, Passenger Department, 415 Broadway, New York City.

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## M'GARREN MARRIAGE VOID.

WAS ANNULLED BY JUSTICE BISCHOFF IN 1901.

Attorneys for the Heirs Say There'll Be No Contest—Friend of the Dead Man Says That the Woman Who Calls Herself the Widow Had Husband Living.

The attorneys who are acting for the heirs of Alexander H. McGarren said yesterday that they were sure that there would be no contest, despite the statements of the woman who calls herself Hester McGarren and who inserted an advertisement of McGarren's death three weeks after it occurred.

There is on record in the Supreme Court here a decree entered by Justice Bischoff in 1901 annulling the marriage of Alexander H. McGarren to Hester McGarren. According to Blatchford & Sherman, it would be necessary for the woman to have this decree set aside before she could get any surrogate to listen to her. In the four years that have elapsed since this decree was entered no action has ever been taken to do this.

The story of McGarren's relations with Hester McGarren told yesterday by a man who knew him.

"Mr. McGarren," he said, "met this woman more than thirty years ago in this city. He was a young man at first, she was an unmarried woman. McGarren did not marry the woman until 1888, when she finally induced him to do so. McGarren believed that the woman was fond of him and that she would look up her past and have the marriage annulled, if possible."

"It was found that the woman was a Mrs. Schlein, the wife of a Chicago, Ill., dealer who she had married in Kentucky thirty years ago. Long after the marriage Schlein began a suit for divorce against her in Kentucky and she retained by bringing a suit against him in New Jersey. She subsequently dropped her suit, but Schlein continued his and got the Kentucky courts to give him a decree. When Justice Bischoff made this decision, it was found that the woman had never been married."

This with other evidence was produced before Justice Bischoff and papers in the annulment action were served personally on the woman. She never paid any attention to the suit and put in no appearance. Justice Bischoff handed down a decision, which attracted some attention, in which he declared absolutely worthless and void the divorce granted in Kentucky.

"His decision and decree are still on file. No one has ever disputed it, or moved an appeal from it. It disposes finally and irrevocably of any claim the woman might make as a surrogate."

"When Mr. McGarren died, his relatives did not advertise his death, fearing that it would result in the publication of statements that would cause a scandal. The woman, who had been to the house only four days before his death, decided to frustrate this design of the relatives. There certainly will not be any scandal, but the woman who calls herself the widow has made in the newspapers."